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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/029,921

12/27/2001

Srinivas Gutta

US 010633

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12/27/2005

PHILIPS INTELLECTUAL PROPERTY & STANDARDS

P.O. BOX 3001

BRIARCLIFF MANOR, NY 10510

EXAMINER

VAUGHN JR, WILLIAM C

ART UNIT

PAPER NUMBER

2143

DATE MAILED: 12/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/029,921

Applicant(s)

GUTTA ET AL.

Examiner

William C. Vaughn, Jr.

Art Unit

2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 September 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Action is in regards to the Amendment and Response received on 06 September 2005.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 06 September 2005 has been entered.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 5, 6, 8-10, 12, 16, 17, 19-21 and 23-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Emens et al. (Emens), U.S. Patent No. 6,493,744 in view of Durden et al. (Durden), U.S. PGPUB 2004/0250272.

5. Regarding independent claims 1, 12, 23 and 24, Emens discloses the invention substantially as claimed. Emens discloses *a method for preventing a user from obtaining determining access to an electronic media object from one of a local or remote source, comprising: analyzing at least one of audio and image information associated with said*

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electronic media object (Emens teaches an electronic media object is identified as an HTML document, an audio file or an image file), [see Emens, Col. 3, lines 8-23, Col. 6, lines 17-63]; *and preventing a user from obtaining accessing said electronic media object if said analyzing step determines that said electronic media object contains one or more predefined inappropriate content items* [see Emens, Col. 2, lines 36-53, Col. 3, lines 64-Col. 4, lines 16, Col. 6, lines 28-63]. However, Emens does not explicitly disclose allowing said user to access said electronic media object if said analyzing step determines that said electronic media object contains at least one predefined appropriate content item; wherein said analyzing step allows said access at least based on recognizing at least one person included in said predefined appropriate content.

6. In the same field of endeavor, Durden discloses (e.g., system and method for controlling and managing programming content and portions thereof). Durden discloses *allowing said user to access said electronic media object if said analyzing step determines that said electronic media object contains at least one predefined appropriate content item; wherein said analyzing step allows said access at least based on recognizing at least one person included in said predefined appropriate content* [see Durden, section 0069].

7. Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Durden's teachings of a system and method for controlling and managing programming content and portions thereof with the teachings of Emens, for the purpose of making the ratings and/or content data vary during the course of the program [see Durden, section 0008]. By this rationale claim 1 is rejected.

8. Regarding **claims 5 and 16**, Emens discloses *further comprising the step of performing speech recognition on said electronic media object to determine if said electronic media object*

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includes one or more predefined stop words [see Emens, Col. 3, lines 23-31, Col. 6, lines 17-37 and Col. 7, lines 18-25]. By this rationale **claims 5 and 16** are rejected.

9. Regarding **claim 6**, Emens-Durden discloses *further comprising the step of performing image processing on said electronic media object to determine if said electronic media object includes nudity* [see rejection of claim 4, supra]. By this rationale **claim 6** is rejected.

10. Regarding **claim 8**, Emens-Durden discloses *further comprising the step of performing image processing on said unmodified electronic media object to determine if said electronic media object includes sexually explicit images* [see rejection of claim 6, supra]. By this rationale **claim 8** is rejected.

11. Regarding **claim 9**, Emens-Durden discloses *further comprising the step of performing image processing on said electronic media object electronic media object to determine if said electronic media object includes violent images* [see rejection of claim 6, supra]. By this rationale **claim 9** is rejected.

12. Regarding **claims 10 and 21**, Emens-Durden discloses *wherein said electronic media object is obtained from a network connection* [see Emens, Col. 8, lines 43-52]. By this rationale **claims 10 and 21** are rejected.

13. Regarding **claim 17**, Emens-Durden discloses *wherein said processor is further configured to perform image processing on said electronic media object to determine if said electronic media object includes nudity* [see rejection of claim 6, supra]. By this rationale **claim 17** is rejected.

14. Regarding **claim 19**, Emens-Durden discloses *wherein said processor is further configured to perform image processing on said electronic media object to determine if said*

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electronic media object includes sexually explicit images [see rejection of claim 6, supra]. By this rationale **claim 19** is rejected.

15. Regarding claim 20, Emens-Durden discloses wherein said processor is further configured to perform image processing on said electronic media object to determine if said electronic media object includes violent images [see rejection of claim 6, supra]. By this rationale claim 20 is rejected.

16. Regarding claims 25 and 26, Emens-Durden discloses wherein said at least one predefined appropriate content item includes at least one actor who appears in regular programming [see rejection of claims 1 and 12, supra]. By this rationale claims 25 and 26 are rejected.

Claim Rejections - 35 USC § 103

17. **Claims 2-4 and 13-15** are rejected under 35 U.S.C. 103(a) as being unpatentable over Emens-Durden as applied to claims 1 and 12 above, and further in view of Cragun et al. (Cragun), U.S. Patent No. 5,832,212.

18. Regarding **claims 2 and 13**, Emens-Durden discloses the invention substantially as claimed. However, Emens-Durden does not explicitly disclose further comprising the step of storing a user profile indicating the Internet browsing privileges of said user.

19. In the same field of endeavor, Cragun discloses (e.g., censoring browser method and apparatus for internet viewing). Cragun discloses *further comprising the step of storing a user profile indicating the Internet browsing privileges of said user* [see Cragun, Col. 2, lines 27-34 and Col. 3, lines 58-65].

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20. Accordingly, it would have been obvious to one of ordinary skill in the networking art to have incorporated Cragun's teachings of a censoring browser method and apparatus for internet viewing with the teachings of Emens-Durden for the purpose of a more efficient and effective user control in order to selectively censor information from the Internet. By this rationale **claim 2** is rejected.

21. Regarding **claims 3 and 14**, Emens-Durden and Cragun discloses *wherein said user profile indicates categories of content that a user said user may access* [see Cragun, Col. 3, lines 62-65 and Col. 8, lines 16-39]. By this rationale **claim 3** is rejected.

22. Regarding **claims 4 and 15**, Emens-Durden and Cragun discloses *further comprising the step of comparing said electronic media object to said Internet browsing privileges of said user* [see Cragun, Col. 2, lines 29-34, Col. 3, lines 53-65 and Col. 4, lines 41-50]. By this rationale **claim 4** is rejected.

Claim Rejections - 35 USC § 103

23. **Claims 7 and 18** are rejected under 35 U.S.C. 103(a) as being unpatentable over Emens-Durden as applied to claims 1, 6 and 12 above, and further in view of Forsyth ("Identifying nude pictures" Forsyth, D.A., Fleck, M.M.).

24. Regarding **claims 7 and 18**, Emens-Durden discloses the invention substantially as claimed. However, Emens-Durden does not explicitly disclose wherein said nudity is determined by identifying human skin.

25. In the same field of endeavor, Forsyth discloses determining nudity by identifying human skin [see Forsyth, pg. 103, Col. 2, lines 39-pg 1-4, Col. 1, line1).

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26. Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Forysth's teachings of image processing with the teachings of Emens-Durden, for the purpose of controlling segmentation problems in image processing and the advantage of an effective recognition system that can work in quite general environments. By this rationale **claim 7** is rejected.

Claim Rejections - 35 USC § 103

27. Claims 11 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Emens-Durden as applied to claims 1 and 12 above, and further in view of PR Newswire (Worldlink Announces New Product for broadcasting audio and video).

28. Regarding claims 11 and 22, Emens-Durden discloses the invention substantially as claimed. However, Emens-Durden does not explicitly disclose said electronic media object is generated in real-time by a camera.

29. In the same field of endeavor, PR Newswire discloses an electronic media object generated in real-time by a camera (full text lines 5-8, 38-40, 42-45).

30. Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated PR Newswire with the invention of Emens-Durden, for the purpose of increasing public communication.

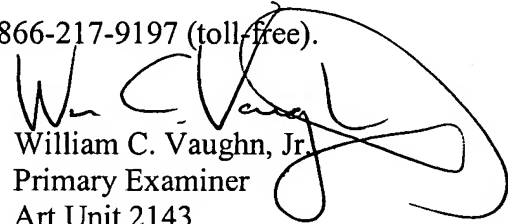
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William C. Vaughn, Jr. whose telephone number is (571) 272-3922. The examiner can normally be reached on 8:00-6:00, 1st and 2nd Friday Off.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



William C. Vaughn, Jr.
Primary Examiner
Art Unit 2143

WCV